

# **Exhibit M**

KAPLAN J.

William R. Maguire (WM 7853)  
Sarah L. Cave (SLC 8346)  
HUGHES HUBBARD & REED LLP  
One Battery Park Plaza  
New York, New York 10004  
(212) 837-6000

Attorneys for Defendant PricewaterhouseCoopers LLP

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ING BANK N.V.,

Plaintiff,

-v-

PRICEWATERHOUSE COOPERS LLP,

Defendant.

Index No.: 05-CV-7217 (LAK)


**STIPULATION AND  
ORDER**

It is hereby agreed by and between the undersigned counsel for plaintiff ING Bank N.V. ("ING") and counsel for defendant PricewaterhouseCoopers LLP ("PwC") that:

- (1) PwC will not contest the sufficiency of the manner in which the Summons and Complaint were served.
- (2) PwC shall have up to and including sixty (60) days from the date on which the conditional transfer order of the Judicial Panel on Multidistrict Litigation transferring this action to the Southern District of Ohio is filed with the clerk for the Southern District of Ohio, to serve and file its motion to dismiss the Complaint.
- (3) ING shall have up to and including sixty (60) days from the date on which PwC serves and files its motion to dismiss to serve and file papers responding to PwC's motion to dismiss the Complaint.


(4) PwC shall have up to and including thirty (30) days from the date on which ING serves and files ING's responsive papers to file PwC's reply brief in further support of its motion to dismiss the Complaint.

(5) Notwithstanding the foregoing, the parties agree that ING has the right to serve and file an amended complaint up to and including sixty (60) days from the date on which the conditional transfer order of the Judicial Panel on Multidistrict Litigation transferring this action to the Southern District of Ohio is filed with the clerk for the Southern District of Ohio; and should ING serve and file an amended complaint, the parties will in good faith attempt to agree upon a reasonable revised schedule with time frames similar to the ones set forth herein.

  
David L. Elsberg (DE 9215)  
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New York, New York 10177-0699  
(212) 336-3500

Attorneys for Plaintiff  
ING Bank N.V.

Dated: 8/23/05

  
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New York, New York 10004  
(212) 837-6000

Attorneys for Defendant  
PricewaterhouseCoopers LLP

Dated: \_\_\_\_\_

SO ORDERED:

\_\_\_\_\_  
U.S.D.J.

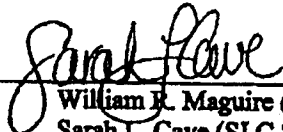
(4) PwC shall have up to and including thirty (30) days from the date on which ING serves and files ING's responsive papers to file PwC's reply brief in further support of its motion to dismiss the Complaint.

(5) Notwithstanding the foregoing, the parties agree that ING has the right to serve and file an amended complaint up to and including sixty (60) days from the date on which the conditional transfer order of the Judicial Panel on Multidistrict Litigation transferring this action to the Southern District of Ohio is filed with the clerk for the Southern District of Ohio; and should ING serve and file an amended complaint, the parties will in good faith attempt to agree upon a reasonable revised schedule with time frames similar to the ones set forth herein.

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PricewaterhouseCoopers LLP

Dated: 8/23/05

SO ORDERED:

  
U.S.D.J.

9/6/05